

AMENDED IN SENATE MAY 24, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2929

Introduced by Committee on Transportation (Torlakson
(Chair), ~~Correa, Davis, Dutra, Firebaugh, Havice,~~
~~Longville, Nakano, Scott, and Strom-Martin~~) (Chair))

March 20, 2000

An act to ~~amend Section 65089.3 of the Government Code~~
add Section 29035.5 to the Public Utilities Code, relating to
transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2929, as amended, Committee on
Transportation. Transportation: ~~—congestion—management~~
San Francisco Bay Area Rapid Transit District.

*The San Francisco Bay Area Rapid Transit District Act
established the San Francisco Bay Area Rapid Transit District
to fund and manage transportation in the San Francisco Bay
Area, as defined.*

*This bill would prohibit the district from extending area
service outside the existing district until the district has made
specific commitments to extend services to specified cities.
The bill would also prohibit any extension of services into any
county that is not part of the district unless the county adopts
a resolution to provide funding, as prescribed. The bill would
also make related findings and declarations.*

~~Existing law requires the agency responsible for the
preparation and adoption of a congestion management~~

~~program to monitor the implementation of all elements of the program. The Department of Transportation is responsible for data collection and analysis for the program on state highways, unless the agency designates that responsibility to another entity.~~

~~This bill would remove the provision that authorizes the agency to designate that responsibility to an entity other than the department.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 65089.3 of the Government~~

2 *SECTION 1. Section 29035.5 is added to the Public*
3 *Utilities Code, to read:*

4 *29035.5. (a) The Legislature finds and declares all of*
5 *the following:*

6 *(1) Regional equity is a vital principle in any regional*
7 *transportation plan. All parts of the San Francisco Bay*
8 *Area must have a chance to benefit and meet the specific*
9 *needs in their areas.*

10 *(2) The original San Francisco Bay Area Rapid Transit*
11 *District (BART) collected its first property taxes in 1958.*
12 *The Legislature, in 1969, approved a one-half of 1 percent*
13 *sales tax in the counties that make up the BART district*
14 *to provide additional funding necessary to complete*
15 *construction of the system.*

16 *(3) Residents of the BART district made up of*
17 *Alameda, Contra Costa, and San Francisco counties have*
18 *paid BART sales taxes and property taxes for nearly four*
19 *decades. Santa Clara County never joined the BART*
20 *district and the residents of Santa Clara County have*
21 *never been required to pay BART taxes.*

22 *(4) The Governor's Traffic Congestion Relief Plan*
23 *released in April 2000, included seven hundred*
24 *twenty-five million dollars (\$725,000,000) from the*
25 *General Fund for an extension of BART service to San*
26 *Jose, currently estimated to cost four billion dollars*
27 *(\$4,000,000,000).*

1 (5) Before BART service is extended into a county that
2 is not part of the BART district, any counties that are not
3 currently part of the BART district should make a
4 financial contribution comparable to the historical sales
5 and property tax contributions made by the original
6 BART counties.

7 (6) In 1988, the Metropolitan Transportation
8 Commission adopted Resolution 1876, a regional rail
9 agreement that provided for the extension of rail service
10 outside the boundaries of the BART district. The
11 landmark agreement embodies the buy-in concept, and
12 the practice of using these contributions to extend BART
13 within current service areas. Under terms of that
14 agreement, San Mateo County agreed to fund six
15 hundred million dollars (\$600,000,000) in regional rail
16 projects, including two hundred million dollars
17 (\$200,000,000) for East Bay BART extensions, in exchange
18 for a BART extension to the San Francisco International
19 Airport.

20 (7) The buy-in principle was a main element of
21 Resolution 1876, and it must remain a main focus as the
22 state looks forward to the next phase of transportation
23 investment in the bay area.

24 (8) This buy-in could lay the framework for a 21st
25 century version of Resolution 1876. This landmark
26 regional rail agreement brought the bay area together
27 and created the groundwork to build the rail extensions
28 that are enjoyed today.

29 (b) Accordingly, it is the intent of the Legislature that
30 Santa Clara County make a “buy-in” comparable to the
31 historical contributions from the BART counties.

32 (c) The district may not extend service to any area
33 outside of the existing district boundaries until it has
34 made specific commitments to extend district services
35 and facilities to the Cities of Antioch and Livermore.

36 (d) The district may not extend service into any
37 county that is not a part of the district unless that county
38 has formally adopted a resolution, with approval from the
39 Metropolitan Transportation Commission, to provide

1 *funding for the completion of specific extensions of*
2 *service within the current district boundaries.*

3 ~~Code is amended to read:~~

4 ~~65089.3. The agency shall monitor the~~
5 ~~implementation of all elements of the congestion~~
6 ~~management program. The department is responsible for~~
7 ~~data collection and analysis on state highways. The~~
8 ~~agency may also assign data collection and analysis~~
9 ~~responsibilities to other owners and operators of facilities~~
10 ~~or services if the responsibilities are specified in its~~
11 ~~adopted program. The agency shall consult with the~~
12 ~~department and other affected owners and operators in~~
13 ~~developing data collection and analysis procedures and~~
14 ~~schedules prior to program adoption. At least biennially,~~
15 ~~the agency shall determine if the county and cities are~~
16 ~~conforming to the congestion management program,~~
17 ~~including, but not limited to, all of the following:~~

18 ~~(a) Consistency with levels of service standards,~~
19 ~~except as provided in Section 65089.4.~~

20 ~~(b) Adoption and implementation of a program to~~
21 ~~analyze the impacts of land use decisions, including the~~
22 ~~estimate of the costs associated with mitigating these~~
23 ~~impacts.~~

24 ~~(c) Adoption and implementation of a deficiency plan~~
25 ~~pursuant to Section 65089.4 when highway and roadway~~
26 ~~level of service standards are not maintained on portions~~
27 ~~of the designated system.~~